

Atty. Ref. No. 030692

### REMARKS

Applicants respectfully request early consideration of this Request for Continued Examination and the claims as herein amended. Pending claims 2-16, 18-29, 61, 62, 64-72, and 86 are as allowed in serial number 09/722,441, requested to be withdrawn from issue.

Pending claims 73-79 are amended to properly reflect that the polynucleotides of the invention encode the enzyme activities of the polypeptides of the claim limitation and described in the indicated SEQ ID NO's in each claim. Pending claims 80 through 85 are amended to correct an inaccurate recitation of the specified enzymatic activity "encoded" by a polypeptide. The claims are amended to reflect the specified enzymatic activity encoded by a polynucleotide of the invention, and the SEQ ID NO's were corrected to reflect the proper nucleotide sequence encoding the respective enzymatic activity of the claim limitation.

No new matter being introduced by these amendments to correct obvious errors, applicants respectfully request entry of these amendments and request early allowance of the pending claims.

### CONCLUSION

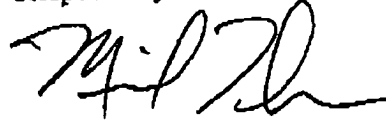
It is respectfully submitted that Applicants' Claims 2-16, 18-29, 61, 62 and 64-86 as herein amended illustrate patentable compositions and methods to produce L-Lysine that are not taught or suggested in the art of record. Applicants respectfully submit that the amendments and remarks to correct obvious errors set forth in this paper place this Application in condition for allowance and such action is courteously requested at an early date.

Prompt and favorable consideration of this Amendment and Request for Continued Examination is respectfully requested. If any net fees for addition of claims or

Atty. Ref. No. 030692

fees for additional extension of time are necessary and not otherwise provided for in this communication, please charge them to Deposit Account No. 02-4553.

Respectfully submitted,



Dated: November 22, 2004

Michael L. Dever, Esq.  
Registration No. 32,216  
BUCHANAN INGERSOLL PC  
One Oxford Centre  
301 Grant Street  
Pittsburgh, Pennsylvania 15219  
ph: (412) 562-1637  
fx: (412) 562-1041